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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/761,145	01/20/2004	David John Tupman	046812/273433

CONFIRMATION NO. 8775

00826
 ALSTON & BIRD LLP
 BANK OF AMERICA PLAZA
 101 SOUTH TRYON STREET, SUITE 4000
 CHARLOTTE, NC 28280-4000

FORMALITIES LETTER



OC000000014959379

Date Mailed: 01/14/2005

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

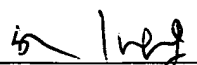
*Filing Date Granted***Items Required To Avoid Abandonment:**

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.

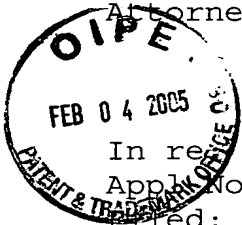
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Initial Patent Examination Division (703) 308-1202

PART 2 - COPY TO BE RETURNED WITH RESPONSE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Tupman et al.
 Appl. No.: 10/761,145 Confirmation No.: 8775
 Filed: January 20, 2004 Group Art Unit: 3711
 For: GOLF STROKE TRAINING DEVICE

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 P.O. Box 1450
 Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application dated January 14, 2005, enclosed is Part 2 of Formalities Letter or Form PTO-1533 (Notice to File Missing Parts of Application).

A prior Notice to File Missing Parts of Nonprovisional Application dated April 23, 2004, was received by the applicant. This prior Notice was responded to on June 28, 2004, and a copy of the prior Notice and the Response are attached. Also attached are copies of the two Declarations as described in the prior Notice, a copy of the check in the amount of \$993 which was also filed with the Response of June 28, 2004 and which has cleared the bank, and a copy of the postcard receipt.

It is accordingly believed that the Declaration which the latest Notice says is missing was in fact previously supplied to the PTO, with the requisite fee. Thus an additional fee should not be required.

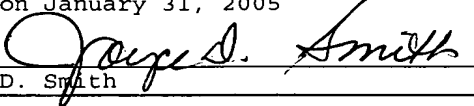
Respectfully submitted,

Charles B. Elderkin
 Registration No. 24,357

Customer No. 00826
ALSTON & BIRD LLP
 Bank of America Plaza
 101 South Tryon Street, Suite 4000
 Charlotte, NC 28280-4000
 Tel Charlotte Office (704) 444-1000
 Fax Charlotte Office (704) 444-1111
 #4690907v1

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Mail Stop Missing Parts, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on January 31, 2005


Joyce D. Smith

FEB 04 2005

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Re: Tupman et al.

App. No. 10/761,145

Confirmation No.: 8775

Filed: January 20, 2004

Group Art Unit: 3711

For: GOLF STROKE TRAINING DEVICE

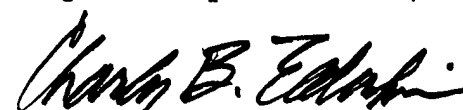
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Alexandria, VA 22313-1450

RESPONSE TO NOTICE TO FILE MISSING PARTS OF APPLICATION

In response to the Notice to File Missing Parts of Application dated April 23, 2004, enclosed are the following:

- ☒ Part 2 of Formalities Letter or Form PTO-1533 (Notice to File Missing Parts of Application)
- ☒ Two identical Declaration and Power of Attorney forms for the above-identified application, one of which has been executed by one of the inventors and the other being executed by the other two inventors.
- ☒ Applicant claims small entity status
- ☒ Check in the amount of \$993.00 to cover the filing fee of \$928.00 and the \$65.00 surcharge under 37 C.F.R. § 1.16(e)
- ☐ English Translation and \$130.00 (37 CFR 1.17(i)) fee for filing late.
- ☒ Any deficiency, additional fee, or credit may be charged to our Deposit Account No. 16-0605.

Respectfully submitted,



Charles B. Elderkin
Registration No. 24,357

Customer No. 00826

ALSTON & BIRD LLP

Bank of America Plaza

101 South Tryon Street, Suite 4000

Charlotte, NC 28280-4000

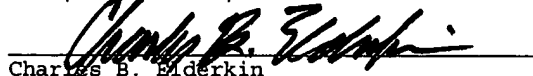
Tel Charlotte Office (704) 444-1000

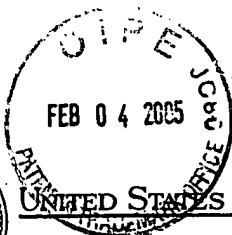
Fax Charlotte Office (704) 444-1111

#4653039v1

CERTIFICATE OF MAILING

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Charles B. Elderkin



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10/761,145	01/20/2004	David John Tupman	046812/273433

CONFIRMATION NO. 8775

00826
 ALSTON & BIRD LLP
 BANK OF AMERICA PLAZA
 101 SOUTH TRYON STREET, SUITE 4000
 CHARLOTTE, NC 28280-4000

FORMALITIES LETTER



OC000000012438373

Date Mailed: 04/23/2004

NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given **TWO MONTHS** from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.
Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).
- The oath or declaration is missing.
A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment:

- Additional claim fees of \$1086 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$1986 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

- Total additional claim fee(s) for this application is **\$1086**

- **\$258** for **3** independent claims over 3.
- **\$828** for **46** total claims over 20.

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*A copy of this notice **MUST** be returned with the reply.*

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PART 2 - COPY TO BE RETURNED WITH RESPONSE